

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**OBJECTION OF JPMORGAN CHASE BANK, N.A. AS SERVICER FOR CHASE
MORTGAGE HOLDINGS, INC. S/B/M TO JPMC SPECIALTY MORTGAGE LLC TO
THE CONFIRMATION OF THE AMENDED PLAN (DOCKET NUMBER 60)**

JPMorgan Chase Bank, N.A. as servicer for Chase Mortgage Holdings, Inc. s/b/m to JPMC Specialty Mortgage LLC ("Creditor") by and through its undersigned counsel, objects to the confirmation of the currently proposed amended plan ("Plan") filed by Mark Loftus ("Debtor") as follows:

1. Creditor holds a security interest secured by a mortgage lien on Debtor's property commonly known as 1353 Main Street, Pittston, PA 18640 ("Property").
 2. Creditor filed Proof of Claim Number 11 in the amount of \$45,848.80.
 3. Debtor's Plan proposes to sell the Property by August 31, 2023. However, it does not appear to provide for payment of Creditor's claim in full.
 4. Creditor requests that Debtor amend the Plan to specify that Debtor will obtain a payoff quote from Creditor and/or its successors/assigns in advance of any sale of the Property

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that is good through the date of any such sale, and provide that the subject mortgage held by Creditor and/or its successors/assigns will be paid in full through any such sale.

5. Creditor also requests that the Debtor amend the Plan to specify that any short sale of the Property may not take place without the express written approval of Creditor and/or its successors/assigns.
6. Creditor further requests that the alternative treatment of Creditor's claim, which is set forth in section B(2) of the Plan and states that in the event that a sale of the Property is not completed by the sale deadline of August 31, 2023, the Debtor may seek an extension of the sale date or that the Property may be auctioned with reserve, be amended to reflect that an extension may be sought so long as the plan continues to provide for payment of Creditor's arrearage claim and ongoing monthly post-petition amounts, and that any reserve price set by auction shall be in an amount sufficient to pay the subject mortgage in full.
7. As it stands Debtor's Plan represents an impermissible modification of Creditor's claim and a violation of 11 U.S.C. §§1322 and 1325.
8. Furthermore, Creditor was granted relief from the Automatic Stay and Co-Debtor Stay on March 20, 2023 at Docket No. 56. Creditor respectfully requests that any confirmation order explicitly state that Creditor was granted relief and that confirmation of Debtor's Plan does not reinstate the stay, nor does confirmation of the Plan or any provision therein prohibit Creditor from immediately proceeding with their State Court remedies including, but not limited to, sale of the Property.

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WHEREFORE, Creditor respectfully requests that the Court deny the confirmation of the Debtor's currently proposed Amended Plan or in the alternative, that any confirmation order contain the language requested in Paragraph 8.

Respectfully submitted,

/s/ Adam B. Hall

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The case attorney for this file is Adam B. Hall.
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re: : Case No.: 22-00590
Mark Loftus : Chapter 13
Debtor(s) : Judge Mark J. Conway
*

Mark Loftus : Date and Time of Hearing
Kathleen A Loftus : March 21, 2023 at 10:00 a.m.
Jack N Zaharopoulos : Related Document No. 60
Movant, :
vs :
JPMorgan Chase Bank, N.A. as servicer :
for Chase Mortgage Holdings, Inc. s/b/m :
to JPMC Specialty Mortgage LLC :
Respondents.

CERTIFICATE OF SERVICE

I certify that on the date of filing, a copy of the foregoing Objection of JPMorgan Chase Bank, N.A. as servicer for Chase Mortgage Holdings, Inc. s/b/m to JPMC Specialty Mortgage LLC to the Confirmation of the Amended Plan was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Jack N Zaharopoulos, Chapter 13 Trustee, info@pAMD13trustee.com

Joseph M. Blazosek, Attorney for Mark Loftus, jblazatty@aol.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S. Mail to the following:

Mark Loftus, 1353 Main Street, Pittston, PA 18640

Kathleen A Loftus, 1353 Main St, Pittston, PA 18640

CSMC 2021 JRI Trust, PO Box 65450, Salt Lake City, UT 84165-0450

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/s/ Adam B. Hall

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